



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Macdonough et al.
Serial No. : 09/923,479
Filed : August 6, 2001
Title : CONCENTRATED KAVALACTONE BEVERAGE COMPOSITIONS

Art Unit : Unknown
Examiner : Unknown

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AUG 18 2003

OFFICE OF PETITIONS

MAIL STOP DAC

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RENEWED PETITION UNDER 37 C.F.R. §1.47(A)

Further to the Decision Refusing Status Under 37 C.F.R. §1.47(a) mailed April 21, 2003 in the above-identified application, Applicants request consideration of this renewed petition.

In support of this renewed petition, Applicants submit the following:

- (i) Statement of Brian Lovejoy dated June 12, 2003;
- (ii) Statement of John Macdonough dated August 6, 2003;
- (iii) Declaration of John Macdonough;
- (iv) Previously submitted declarations of Brian Lovejoy and Joel McCleary;
- (v) Petition fee (submitted herewith);
- (vi) and Surcharge (previously submitted).

Applicants submit that these statements and the documents resubmitted herewith from the previous petition now satisfy requirements (1) to (6) of 37 C.F.R. §1.47(a). Applicants respectfully request grant of this renewed petition.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

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I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit

Signature

Typed or Printed Name of Person Signing Certificate

August 13, 2003

Maria Keen

Maria Keen

Applicant : MacDonough et al.
Serial No. : 09/923,479
Filed : August 6, 2001
Page : 2 of 2

Attorney Docket No.: 13413-002001

Enclosed is a Petition for Extension of Time and a check for the Petition for Extension of Time fee. Please apply any other charges or credits to Deposit Account No. 06-1050, referencing attorney docket number 13413-002001.

Respectfully submitted,

Date: August 13, 2003

Jeffrey D. Hsi
Reg. No. 40,024

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

Attorney's Docket No.: 13413-002001



2003 JUN 13 AM 8:00

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OFFICE OF PETITIONS

STATEMENT OF BRIAN LOVEJOY

In support of the Renewed Petition Under 37 CFR 1.47(a) in the above-identified application, I, the undersigned, declare that:

1. On or about August 9, 2001, I provided a copy of the above-identified application to John Macdonough.

2. On or about March 5, 2002, I provided a copy of an oath/declaration for the above-identities application to John Macdonough.

3. That all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date: June 12 2003
Brian Lovejoy

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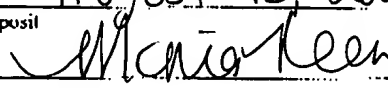
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Signature


Maria Keen

Typed or Printed Name of Person Signing Certificate



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STATEMENT OF JOHN MACDONOUGH

In support of the Renewed Petition Under 37 CFR 1.47(a) in the above-identified application, I, the undersigned, declare that:

1. I was provided a copy of the entire above-identified application, including an oath/declaration.
2. I initially refused to sign the oath/declaration in the above-identified application, but subsequently executed it on March 18, 2002.
3. That all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date: Aug 6 2003

John Macdonough
John Macdonough

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

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Date of Deposit

August 13, 2003

Signature

Maria Keen

Typed or Printed Name of Person Signing Certificate

Maria Keen